

*REMARKS/ARGUMENTS**Claim Amendments*

Claims 1-34 are pending, with claims 27-33 indicated as withdrawn, and claims 1-26 and 34 currently under examination. Claim 17 has been amended to correct a typographical error, namely to replace the term "arginine" with "asparagines." Support for the amendment can be found throughout the specification, for example, at paragraph 0002, as well as at original claim 18. No new matter is added by the amendment.

Restriction Requirement

The Office Action sets forth a restriction requirement between the following groups of claims:

Group I (claims 1-26 and 34) directed to an erythropoietin peptide as indicated in claim 1.

Group II (claims 27-30) directed to a method of making a PEG-ylated erythropoietin comprising the moiety indicated in claim 27.

Group III (claims 31-33) directed to a method of treating a condition characterized by compromised red blood cell production.


Applicants' Election

Applicants elect, without traverse, Group 1 (claims 1-26 and 34) for further prosecution. In addition, Applicants elect for prosecution purposes the species of (1) $L-R^1$ wherein L is $\{C(O)(CH_2)_aNH\}_s\{C(O)(CH_2)_b(OCH_2CH_2)_cO(CH_2)_dNH\}_t$ and R^1 is $C(O)CH_2CH_2(OCH_2CH_2)_eOCH_3$, wherein s and t are independently 0 or 1, a, b, and d are independently integers from 0 to 20, and c and e are independently integers selected from 1 to 2500; and (2) the amino acid to be asparagine as shown in original claim 14. The elected species of R^1 can be found in original claim 6. The elected species of L can be found at paragraph 0122 of the specification. Claims 1, 6-9, and 13-26 read on the elected species.

Applicants request that, upon allowance of a claim directed to the elected subject matter, any non-elected claims that depend on, or otherwise contain the limitations of, the allowed claim be rejoined and examined.

If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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